

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

J.R. SIMPLOT COMPANY, *et al.*,

Plaintiffs,

v.

WASHINGTON POTATO CO., *et al.*,

Defendants.

Case No. C16-1851 RSM

MINUTE ORDER

The following MINUTE ORDER is made by direction of the Court, the Honorable Ricardo S. Martinez, Chief United States District Judge:

On March 16, 2017, National Frozen Food Corporation (“NFF”), which is co-owned by Plaintiff J.R. Simplot Company and Defendant Washington Potato Company, filed a motion to disqualify the law firm Davis Wright Tremaine as Defendants’ counsel in this matter. Dkt. #57. Although NFF’s motion to disqualify is noted for March 31, 2017, NFF now requests a telephonic motion under Local Civil Rule 7(i). NFF explains that a telephonic motion is necessary because NFF is scheduled to appear for a 30(b)(6) deposition conducted by Plaintiff on March 22, 2017. NFF is not opposed to Plaintiff conducting its deposition on March 22, 2017, however, NFF opposes Davis Wright Tremaine’s presence at that deposition.

1 Before the Court determines whether it will hold a telephonic motion, the Court  
2 DIRECTS the parties to file briefing no later than **Monday, March 20, 2017, 12:00 P.M.**  
3 addressing the following:

- 4 a) the extent of the relationship between NFF and Davis Wright Tremaine; and  
5  
6 b) given that relationship, whether NFF must provide informed consent, confirmed in  
7 writing, pursuant to Rule of Professional Conduct 1.7 and/or 1.9, before Davis Wright  
8 Tremaine may represent Defendants.

9 DATED this 17<sup>th</sup> day of March 2017.  
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12 WILLIAM McCOOL, Clerk

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14 By: /s/ Rhonda Stiles  
15 Deputy Clerk  
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